

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
Plaintiff,)
)
v.)
)
LEONARD T. PILLING,)
Defendants,)
)

CIVIL ACTION NO. 04-4003 A-NMG

**AFFIDAVIT IN SUPPORT OF THE UNITED STATES OF AMERICA'S
MOTION FOR DEFAULT JUDGMENT**

I, Christopher R. Donato, the attorney for the plaintiff in the above-captioned matter, hereby being duly sworn, on oath depose and say:

1. On March 3, 2004, the plaintiff filed a "Complaint for Repossession of Chattels" (hereinafter "complaint") with the United States District Court for the District of Massachusetts.
2. According to the records of the Farm Service Agency of the United States Department of Agriculture, the defendant has an outstanding balance of \$536,918.40 owed as of February 2, 2004. (See the attached sworn statement of indebtedness dated February 2, 2004.)
3. According to the "Process Receipt and Return" form of the United States Marshal Service, a copy of which is attached, the United States Marshals made personal service of the complaint upon the defendant on March 19, 2004.
4. Pursuant to Rule 12(a)(1)(A) of the Federal Rules of Civil Procedure, the defendant had twenty (20) days from the date of service to serve an answer or other defensive pleading on the

plaintiff.

5. Over one month has transpired from the date of service of the complaint and the plaintiff has yet to receive an answer or other defensive pleading from the defendant.

6. According to the records of the Department of Defense Manpower Data Center, the defendant is not an active member of the armed services of the United States and is not entitled to protection under the Soldiers' and Sailors' Civil Relief Act of 1940.

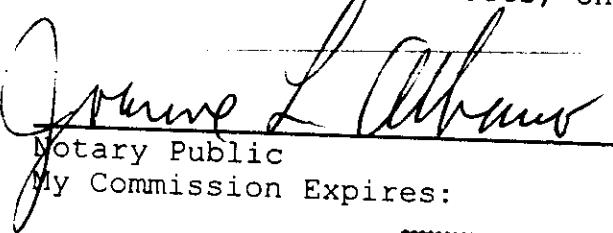
7. According to the records of the United States Department of Agriculture, the defendant is not an infants.

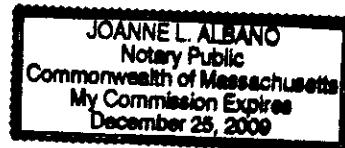
8. The plaintiff is without knowledge or information as to whether the defendant is incompetent.

Signed under the pains and penalties of perjury, on this 23rd day of April, 2004,


Christopher R. Donato
Assistant U.S. Attorney

Signed and sworn before me at Boston, Massachusetts, on this 23rd day of April, 2004,


Notary Public
My Commission Expires:



**U.S. Department of Justice
United States Marshals Service**

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF

U.S.A.

COURT CASE NUMBER
04-40032-NMG

04-40033-NMG

TYPE OF PROCESS **SUMMONS & Complaint
for Foreclosure & Repossession
v Chateaus**

DEFENDANT

Leonard T. Pilling

SERVE

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
Leonard T. Pilling



ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
AT 25 Kingsbury Road Spencer, MA 01562

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Christopher R. Donato, AUSA
U.S. Attorney's Office
1 Courthouse Way-Suite 9200
Boston, MA 02210

Number of process to be served with this Form - 285

Number of parties to be served in this case

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Signature of Attorney or other Originator requesting service on behalf of:

Christopher R. Donato
Christopher R. Donato, AUSA

PLAINTIFF
 DEFENDANT

TELEPHONE NUMBER
617 748 3303

DATE
3-4-04

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated.
(Sign only first USM 285 if more than one USM 285 is submitted)

Total Process

District of Origin

No. 38

District to Serve

No. 38

Signature of Authorized USMS Deputy or Clerk

Date

3/4/04

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

Address (complete only if different than shown above)

A person of suitable age and discretion then residing in the defendant's usual place of abode.

Date of Service
3/19/04

Time
0630

pm

Signature of U.S. Marshal or Deputy

Service Fee

Total Mileage Charges (including endeavors)

Forwarding Fee

Total Charges

Advance Deposits

Amount owed to U.S. Marshal or

Amount of Refund

REMARKS:

3/17 - Envelope 7th floor right side
3/17 - 11 1760 - 110 1500-6

NOTE

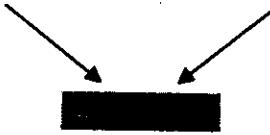
FARM SERVICE AGENCY
445 WEST STREET
AMHERST, MA 01002

INDEBTEDNESS AS OF 02/02/04
(PER ADPS)

NAME: PILLING, LEONARD T.

CASE NUMBER: 25-019-0010305611

FUND CODE/ LOAN NO.	DATE OF LAST PAYMENT	UNPAID PRINCIPAL	UNPAID INTEREST	DAILY INTEREST ACCURAL	DELINQUENT AS OF: 02/02/04
41-02	06-23-03	\$ 19,185.23	\$ 1,201.77	\$ 2.5234	\$ 16,786.56B
41-10	08-13-03	\$ 1,321.20	\$ 165.87	\$.1554	\$ 153.22B
44-22	09-15-03	\$ 12,263.47	\$ 2,200.63	\$ 1.4734	\$ 8,140.54B
44-23	08-13-03	\$ 20,505.63	\$ 4,773.43	\$ 2.2254	\$ 19,718.11B
41-24	10-28-96	\$246,129.02	\$229,172.15	\$33.0992	\$173,558.85B
		\$299,404.55	\$237,513.85		



Carrie Novak
CARRIE L. NOVAK
Farm Loan Chief

Sworn and subscribed to before me, the undersigned officer, on this 2nd day of February, 2004.

NOTARIAL

SEAL

Jane A. Rice
JANE A. RICE
Notary Public
My Commission expires January 29, 2010.